



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/662,794

09/15/2003

Oliver Kniffler

E0196.0154

9507

38881

7590

11/14/2008

DICKSTEIN SHAPIRO LLP

1177 AVENUE OF THE AMERICAS 6TH AVENUE

NEW YORK, NY 10036-2714

EXAMINER

FAROUL, FARAH

ART UNIT

PAPER NUMBER

2416

MAIL DATE

DELIVERY MODE

11/14/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/662,794	<b>Applicant(s)</b> KNIFFLER ET AL.	
	<b>Examiner</b> FARAH FAROUL	<b>Art Unit</b> 2416	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 19, 2008 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Objections***

3. Claim 8 is objected to because of the following informalities:

The phrase "such that" recited in line 2 of claim 8 should be deleted to render the claim positive.

The phrase "can be" recited in line 2 of claim 8 should be deleted to render the claim positive.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

Art Unit: 2416

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 4 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 4 recites "the allocated logical channel **before** a transfer of the data" in line 3. The limitation is not supported by the original disclosure. Applicant's disclosure (page 3, lines 5-10) recites the logical is allocated after and at the same time as the transfer of the data. Nonetheless, the cited reference (see paragraph 6) teaches the recited claim limitations. It is suggested that applicant either points out the part of the disclosure that supports the limitations of claim 4 or delete the limitations to overcome this rejection.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 6-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6 recites the limitation "a reception unit" in line 2. There is no mention of a reception unit in the disclosure. Applicant is required to amend the limitation to "a reception station".

Claim 6 recites the limitation “the reception unit” in line 3. There is no antecedent basis for this limitation in the claim as there is no mention of “a reception unit” in the disclosure. Applicant is required to amend the limitation to “a reception station”.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Landez et al. (US 5,124,983).

For claim 1, Landez discloses a control station (Fig 1, element 2);

At least one reception station (stations A or B in Figure 1);

A data bus (Fig 1, bus 1) configured to operate in a multiplex mode and coupled to the control station and the reception station (column 2, lines 25-31 and see connections in Fig 1); and

A control bus (bus 4 of Fig 1) coupled to the control station and the reception station (see connections in Fig 1), wherein the control station is configured to allocate a logical channel via the control bus, between the control station and the reception station (column 2, lines 57-67)

For claim 2, Landez discloses transmitting an address by the control station via the data bus and continuously monitoring the data bus by the reception station;

Soliciting the reception station when the address transmitted by the control station matches an address designated for the reception station and allocating a logical channel between the solicited reception station and the control station via the control bus; and

Interchanging data between the control station and the reception station for a time period that the logical channel remains allocated to the reception station (column 2, lines 57-67 wherein data is interchanged for the time period during which the channel is allocated)

For claim 3, Landez discloses soliciting the reception station through the control bus by calling the allocated logical channel at a same as a transfer of the data (column 2, lines 57-67)

For claim 4, Landez discloses soliciting the reception station through the control bus by calling the allocated logical channel before a transfer of the data (column 2, lines 57-67 wherein the channel is allocated before data transfer).

For claim 5, Landez discloses at least one reception station (stations A or B in Figure 1);

A data bus configured to operate in a multiplex mode and coupled to the control station and the reception station (column 2, lines 25-31 and see connections in Fig 1); and

A control bus (Fig 1, bus 1) coupled to the control station and the reception station, wherein the control station is configured to allocate a logical channel via the

Art Unit: 2416

control bus, between the control station and the reception station (column 2, lines 57-67)

Wherein the control station and the reception station interchange data for a time period while the logical channel remains allocated to the reception station (column 2, lines 57-67 wherein data is interchanged for the time period during which the channel is allocated)

For claim 6, Landez discloses the control station is configured to transmit an address of a reception unit on the data bus before data is to be interchanged between the control station and the reception unit (column 2, lines 57-67 wherein the channel is allocated before data transfer).

For claim 7, Landez discloses the reception station is configured to continuously monitor the data bus and determine when the address transmitted by the control station matches an address designated for the reception station (column 2, lines 57-67).

For claim 8, Landez discloses the control station allocates a logical channel between the control station and the reception station for data to be interchanged between the two stations (column 2, lines 57-67 wherein the channel is allocated before data transfer).

For claim 9, Landez discloses the data is interchanged between the control station and the reception station for a time period that the logical channel remains allocated on the control bus (column 2, lines 57-67 wherein data is interchanged for the time period during which the channel is allocated)

For claim 10, Landez discloses the reception station is configured to continuously monitor the control bus and determine when a logical channel transmitted by the control bus matches the allocated logical channel designated for the reception station (column 2, lines 57-67).

For claims 11-13, Landez discloses the data is interchanged between the control station and the reception station until the control station allocates the logical channel to another reception station (column 2, lines 57-67).

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARAH FAROUL whose telephone number is (571)270-1421. The examiner can normally be reached on Monday - Friday 6:30 AM - 4 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on 571-272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 2416

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Farah Faroul/  
Examiner, Art Unit 2416

**/FIRMIN BACKER/**

**Supervisory Patent Examiner, Art Unit 2416**